

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 19-00011-01-CR-W-SRB
	)	
MARC A. AGEE,	)	
	)	
Defendant.	)	
	)	

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

**PENDING CHARGE:** On January 9, 2019, the Grand Jury returned a six-count Indictment against defendant Marc A. Agee. Counts One and Three of the Indictment charge defendant Agee with distribution of a detectible amount of cocaine. Counts Two and Four charge the defendant with possessing a firearm in relation to a drug trafficking crime. Counts Five and Six charge the defendant with distribution of more than five grams of methamphetamine (actual).

The following matters were discussed, and action taken during the pretrial conference:

**TRIAL COUNSEL:**

Government: Matthew Moeder  
Case Agent: Spc Agent Steven Lester  
Defense: Carie Allen

**OUTSTANDING MOTIONS:**

**TRIAL WITNESSES:**

Government: 8-10 with stipulations; 15 without stipulations  
Defendant: 4 witnesses, including the Defendant

**TRIAL EXHIBITS:**

Government: approximately 15 exhibits  
Defendant: approximately 20 exhibits

**DEFENSES:** general denial

**POSSIBLE DISPOSITION:**

( ) Definitely for trial; ( ) Possibly for trial; ( X ) Likely a plea will be worked out

**TRIAL TIME: 3 days total**

Government's case including jury selection: 2 day(s)

Defendant: 1 day(s)

**STIPULATIONS:** Possible stipulations as to lab results and chain of custody

**UNUSUAL QUESTIONS OF LAW:** none

**FILING DEADLINES:**

**Witness and Exhibit List**

Government: **Due on or before Thursday December 26, 2019.**

Defendant: **Due on or before Thursday, December 26, 2019.**

**Counsel are requested to list witnesses in alphabetical order on their witness list.**

**Exhibit Index, if required by the District Court, Voir Dire, Jury Instructions: Due on or before Thursday, January 2, 2020.**

**Please Note:** Jury instructions must comply with Local Rule 51.1

**Motion in Limine: None anticipated. Due on or before Thursday, January 2, 2020.**

**TRIAL SETTING:** Criminal jury trial docket set for January 6, 2020.

**Please note:** Government prefers the second week of the docket. Defendant has no objection.

**IT IS SO ORDERED**

/s/ Lajuana M. Counts

LAJUANA M. COUNTS

UNITED STATES MAGISTRATE JUDGE